

Candidate's Guide to the Primary Election

June 5, 2012

Prepared by the Office of the Iowa Secretary of State

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sos.iowa.gov/elections/candidates/index.html

For more information, please contact your county auditor or the Iowa Secretary of State's office.

Important Note: The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.

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Overview

What is the Primary Election?

The primary election is held for members of the political parties to nominate candidates for the general election. Currently, there are only two political parties in Iowa: the Democratic Party and the Republican Party. Winners of the primary election will have their names automatically placed on the general election ballot.

[§39.3, 43.1, 43.3]

Candidates who have no party affiliation or who are affiliated with a non-party political organization (NPPO) cannot appear on a primary election ballot. These candidates must file during the general election filing period to have their names placed on the general election ballot.

Nomination Papers

Each candidate must file an affidavit of candidacy and nomination petitions with the county auditor for county offices or the Secretary of State's Office for federal and state offices. The affidavit of candidacy and nomination petitions must be filed together or they will be rejected.

Copies of nomination papers are available at the county auditor's office or on the Secretary of State's website: sos.iowa.gov/elections/electioninfo/Primary/index.html.

[§43.11, 43.14, 43.18]

Filing Period

Nomination papers must be filed during the filing period. They cannot be filed before or after the following dates:

Federal and State Offices:

First day: Monday, February 27, 2012

Last day: Friday, March 16, 2012 – 5 p.m.

County Offices:

First day: Monday, March 5, 2012

Last day: Wednesday, March 28, 2012 – 5 p.m.

There are no filing fees in Iowa.

[§43.11]

Primary Candidate Qualifications

Federal Office	U.S. Citizenship	Residence	Age	Term	Signatures Needed	Papers Filed In:
U.S. Representative [U.S. Constitution, Art. 1, Sec. 2]	At least 7 years when sworn in.	Iowa resident at the time of the election.	25 when sworn in.	2 years	Based on votes cast in 2010 General Election. Refer to signature charts.** [§43.20(1)(c)]	Iowa Secretary of State's Office*
Iowa General Assembly	U.S. Citizenship	Residence	Age	Term	Signatures Needed	Papers Filed In:
State Senator [Iowa Constitution, Art. III, Sec. 5]	Citizen at the time of the election. [§39.26]	1 year in Iowa. 60 days in the district at the time of the election.	25 when sworn in.	4 years	100 from state senate district.** [§43.20(1)(c)]	Iowa Secretary of State's Office*
State Representative [Iowa Constitution, Art. III, Sec. 3-4]	Citizen at the time of the election. [§39.26]	1 year in Iowa. 60 days in the district at the time of the election.	21 when sworn in.	2 years	50 from state representative district.** [§43.20(1)(c)]	Iowa Secretary of State's Office*
County Offices	U.S. Citizenship	Residence	Age	Term	Signatures Needed	Papers Filed In:
County Supervisor	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Registered voter of the county/supervisor district when sworn in. [§39.26, 331.201]	18 at the time of the election. [§39.26]	4 years	Plan 1 and 2 Counties: At least 100 or 2% of the party vote in the county at last general election, whichever is less. Plan 3 Counties: At least 100 or 2% of the party vote in the district (including election day and absentee) at last general election, whichever is less. *Contact county auditor for specific numbers. [§43.20(1)(d)]	County Auditor's Office
County Auditor	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the county when sworn in. [§39.26-27]	18 at the time of the election. [§39.26]	4 years	At least 100 or 2% of the party vote in the county at last general election, whichever is less. *Contact county auditor for specific numbers. [§43.20(1)(d)]	County Auditor's Office
County Sheriff***	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the county when sworn in. [§39.26-27]	21 when sworn in. [§331.651]	4 years	At least 100 or 2% of the party vote in the county at last general election, whichever is less. *Contact county auditor for specific numbers. [§43.20(1)(d)]	County Auditor's Office

*The Iowa Secretary of State's Office is open Monday through Friday from 8 a.m. to 4:30 p.m. The office will be open until 5 p.m. on the last day of the filing period.

**New congressional and Iowa senate and house district boundaries will be in effect after 2011 redistricting becomes law. Signature calculations for congressional districts are compiled and posted on the SOS website.

***Elected county sheriffs must also meet the requirements in *Iowa Code* §331.651.

Preparing Nomination Papers

Affidavit of Candidacy

Each candidate must complete and file an affidavit of candidacy. Affidavits lacking the required information listed below cannot be accepted:

- Candidate's Name

The candidate's name must be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included. Please provide the phonetic spelling of the candidate's name. This is helpful for producing audio ballots for voters who are visually impaired. Be as clear as possible. For example, Eisenhower = "EYES-in-how-er."

- Office Sought and District (if any)

The name of the office and the congressional, state senate, house, supervisor district or other district (if any) that the candidate is running for must be included.

- Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Contact the county auditor or Secretary of State with questions about whether you are running to fill a vacancy.

- Type and Date of Election

The 2012 Primary Election will be held on Tuesday, June 5.

- Candidate Affiliation

Either Democratic or Republican must be marked.

- Candidate's Home Address

Candidates must provide their house number and street name. The mailing address, phone, and email are optional but do assist the filing office and the public in contacting the candidate.

- Candidate's Affirmation, Signature, and Notarization

The affidavit must be notarized. A notarial officer must be present when the candidate signs the affidavit and will complete the verification on the bottom of the affidavit. Once an affidavit is notarized, the affidavit cannot be altered.

Nomination Petitions

Candidates must collect signatures on nomination petitions and file the petitions at the same time the affidavit of candidacy is filed.

Preparing Nomination Petitions

Before anyone signs the petition, complete the required information in the header of every petition page. Signatures cannot be counted on petitions missing the required information.

Best Practice: Complete the header on one petition page and make copies of that page so all petition page headings are identical.

The following information is required on each petition header:

- **Candidate's Name**

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included.

- **Office Sought**

- **Candidate's County of Residence**

- **Office District (if any)**

The candidate must provide the district number (if any). Signatures on petition pages that do not provide the applicable district number (when required) cannot be counted.

- **Election Date**

The 2012 Primary Election will be held on Tuesday, June 5.

- **Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?**

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term. Contact the county auditor or Secretary of State with questions about whether you are running to fill a vacancy.

- **Candidate Affiliation**

Either Democratic or Republican must be marked.

- **Signers' County of Residence**

This is only required on petitions for U.S. representative candidates.

Signature Requirements

See the candidate qualifications chart on page 2. New congressional and Iowa senate and house district boundaries will be in effect after 2011 redistricting becomes law. Signatures gathered for the 2012 primary election must come from within the boundaries of the new district.

Collecting Signatures

Eligible electors of the appropriate county or district (if applicable) may sign nomination petitions. An eligible elector meets all of the requirements to register to vote but does not have to be registered to vote. An eligible elector must:

- Be a citizen of the United States,
- Be a resident of Iowa, and
- Be at least 18 years old.

An eligible elector may not:

- Be a convicted felon (unless voting rights have been restored by the president or governor),
- Be currently judged incompetent to vote by a court, and
- Claim the right to vote in any other place.

Candidates may sign their own petitions assuming they are eligible electors of the county or district.

Candidates may begin collecting signatures at any time. However, the signers must still be eligible electors when the papers are filed in order for the signatures to count.

All signers must include the following information:

- A signature (the signature may be printed)
- The address of their residence

This must include a house number and street name. Providing a post office box only is not sufficient. A signer who is homeless should describe where the signer lives or write "homeless."

- The name of the city in which they live

[§43.14]

There is no limit on the number of nomination petitions one elector may sign for different candidates.

Important Note: Petition signers often use "ditto" marks when appropriate (e.g. when the name of a city or the date of signing the petition is the same as the previous signer). The use of ditto marks does not invalidate a signature.

Filing Checklist

- ☐ **Review your affidavit and nomination petition headers.**

Nothing can be added to a notarized affidavit or a petition header if there are signatures on the page. Nomination papers can only be returned if they have been rejected.

- ☐ **Count the signatures.**

Best Practice: File more than the required number of signatures since it is possible for signatures to be challenged. If there are signatures on your petition you know should not be included, simply draw a line through the names. Those signatures will not be counted.

- ☐ **Organize your nomination petitions by county (federal and statewide candidates only).**

This will help speed the review process by the Secretary of State's Office.

- ☐ **Make a copy of your nominations papers for your own records.**

- ☐ **Bind your nomination papers together.**

Nomination papers may be rejected without examination if not bound together.

Best Practice: Use staples or a three-ring binder.

- ☐ **File both the affidavit and nomination petitions at the same time.**

- ☐ **File as early as possible.**

Nomination papers will be inspected for completeness before they are accepted for filing. If candidates file early, they may have time to correct any errors in rejected papers and resubmit them.

Nomination papers may be filed in person or by mail. When filing by mail, postmark dates are irrelevant. The filing officer must receive the papers by 5 p.m. on the filing deadline. If candidates would like to be contacted when their nomination papers have been received, they should indicate that when they mail their papers and include a daytime phone number at which they can be reached.

Important Note: It is the responsibility of the candidate to ensure the nomination papers are received by the filing officer before the deadline.

Frequently Asked Questions

Can I run for more than one office?

No. If a candidate files nomination papers for more than one office appearing on the same ballot, the candidate must file an affidavit on or before the last day to file candidate nomination papers declaring the one office the candidate wishes to run for. If the affidavit is not filed, the candidate's name cannot appear on the ballot for any of the offices for which the person filed nomination papers.

Exception: This prohibition against seeking more than office does not apply to:

- County agricultural extension council members, or
- Soil and water conservation district commissioners

[§39.11, 49.41(3)]

Can I hold more than one office?

Statewide elected officials, state senators, and state representatives cannot hold more than one elective office at time.

All other elected officials cannot hold more than one elective office at the same level of government at a time. For example, a person could serve on the school board and county board of supervisors, but a person could not serve on the county board of supervisors and serve as county auditor.

Exception: This prohibition against holding more than office does not apply to:

- County agricultural extension council members, or
- Soil and water conservation district commissioners

[§39.11]

What is the Hatch Act?

The Hatch Act restricts the political activities of people principally employed by state or local government executive agencies in connection with a program financed in whole or in part by federal loans or grants. For more information, contact:

U.S. Office of Special Counsel – Hatch Act Unit
1730 M. Street, N.W. Suite 218
Washington, D.C. 20036-4505
1-800-854-2824 or 202-254-3650
hatchact@osc.gov
www.osc.gov/hatchact.htm

Who do I contact for questions about nomination papers, filing procedures, and lists of registered voters?

The Elections Division of the Secretary of State's Office is available to assist with questions about the filing process and to provide lists of registered voters. You can contact the Elections Division of the Secretary of State's Office in the following ways:

- Be phone: 1-888-SOS-VOTE or 515-281-0145
- By email: sos@sos.iowa.gov
- By mail: Lucas Building, 1st Floor
321 E. 12th Street
Des Moines, IA 50319

The Secretary of State's website also provides useful information for candidates on these topics: sos.iowa.gov/elections/candidates/index.html.

Where can I find information about campaign disclosure and ethics requirements?

For information about candidates' ethics and campaign filing responsibilities and deadlines, please contact the Iowa Ethics and Campaign Disclosure Board at 515-281-4028 or www.iowa.gov/ethics.

How do I contact the state's political parties?

Iowa Democratic Party
5661 Fleur Drive
Des Moines, IA 50321
515-244-7292
<http://iowademocrats.org>

Iowa Republican Party
621 E. 9th Street
Des Moines, IA 50309
515-282-8105
<http://iowagop.org>

2012 Primary Election Calendar

Date	Event	Code Cite
Monday, February 27	State and Federal Candidate Filing Begins. First day for Democratic and Republican candidates for state and federal offices to file nomination papers with the Secretary of State.	§43.11(2)
Monday, March 5	County Candidate Filing Begins. First day for Democratic and Republican candidates for county offices to file nomination papers with the county auditor.	§43.11(1)
Thursday, March 8	Last Day for Vacancies for State and Federal Offices. State and federal offices must appear on the primary election ballot if a vacancy in the office occurs on or before this date.	§43.6(1)
Friday, March 16 – 5 p.m.	State and Federal Candidate Filing Deadline. Last day for Democratic and Republican candidates to file nomination papers with the Secretary of State. Deadline is 5 p.m.	§43.11(2)
Wednesday, March 21	State and Federal Candidate Withdrawal Deadline. Last day for candidates who filed with the Secretary of State to withdraw. Notice of withdrawal must be submitted in writing to the Secretary of State.	§43.16, 43.23(1)
Friday, March 23	State and Federal Candidate Objection Deadline. Last day to file written objections to nomination papers with the Secretary of State.	§43.24(1)(b)(1)
	Last Day for Vacancies for County Offices. County offices must appear on the primary election ballot if a vacancy in the office occurs on or before this date.	§43.6(2)
Monday, March 26 – 5 p.m.	State and Federal Candidate Substitution Deadline. Last day political parties may designate to the Secretary of State a substitute candidate for another who withdrew or died by March 21. Deadline is 5 p.m.	§43.23(1)
Wednesday, March 28 – 5 p.m.	County Candidate Filing Deadline. Last day for Democratic and Republican candidates for county offices to file with the county auditor. Deadline is 5 p.m.	§43.11(1)
Friday, March 30	County Candidate Withdrawal Deadline. Last day for candidates who filed with the county auditor to withdraw. Notice of withdrawal must be submitted in writing to the county auditor.	§43.16, 43.23(2)
Monday, April 2	County Candidate Objection Deadline. Last day to file written objections to nomination papers with the county auditor.	§43.24(1)(b)(2)
Tuesday, April 3 – 5 p.m.	County Candidate Substitution Deadline. Last day political parties may designate to the county auditor a substitute candidate for another who withdrew or died by March 30. Deadline is 5 p.m.	§43.23(2)
Thursday, April 19 – 5 p.m.	Satellite Absentee Voting Station Petitions Deadline. A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m.	§53.11(2)(a)
Thursday, April 26	Absentee Ballots Ready. First day absentee ballots may be voted in the county auditor's office.	§53.10

Date	Event	Code Cite
Monday, May 21	Worry-Free Postmark Date. Mailed voter registrations forms which are postmarked on or before today are considered on time to be pre-registered for the primary election even if they are received after 5 p.m. on May 26.	§48A.9(3)
Saturday, May 26 – 5 p.m.	Voter Pre-Registration Deadline. The deadline to pre-register to vote for the primary election is 5 p.m. Exceptions: Mailed registration forms postmarked on or before Monday, May 21, are considered on time even if they are received after 5 p.m. today.	§48A.9(1)
Monday, May 28	Memorial Day Holiday – State Offices Closed.	§1C.1
Friday, June 1 – 5 p.m.	Absentee Ballot by Mail Request Deadline. Last day to request an absentee ballot by mail. Deadline is 5 p.m.	§53.2(1)(b)
Saturday, June 2 – 5 p.m.	County Auditors' Offices Open. The county auditor's office must be open for at least 8 hours until at least 5 p.m. for absentee voting and other election business.	§47.2(5), 53.18(2)
Monday, June 4	Absentee Ballot In-Person Deadline. Last day to request and vote an absentee ballot in person at the county auditor's office. Last Day for Voters to Fix Incomplete Affidavits. Voters have until 5 p.m. to fix incomplete affidavit envelopes at the county auditor's office.	§53.2(1)(a) §53.18(2)
Tuesday, June 5	Primary Election Day. Polls are open from 7 a.m. until 9 p.m. Absentee ballots may be delivered to the county auditor until 9 p.m.	§43.7, 49.73, 53.17(1)
Thursday, June 7	Number of Provisional Ballots Posted. Number of provisional ballots cast in each precinct must be posted by the county auditor no later than 9 a.m. Special Precinct Board Convened. The county auditor may reconvene the special precinct board no earlier than noon to consider provisional ballots and absentee ballots that were postmarked Monday, June 4, or earlier.	§50.20 §50.21, 50.22
Monday, June 11 – Noon	Absentee Ballot Deadline. Absentee ballots that were postmarked Monday, June 4, or earlier and received by noon today are considered to be on time to be counted.	§53.17(2)
Monday, June 11/ Tuesday, June 12	County Canvass of Votes. May occur either Monday or Tuesday.	§43.49
Thursday, June 14/ Friday, June 15 – 5 p.m.	Recount Request Deadline. Written requests for a recount must be filed in the county auditor's office by 5 p.m. on the third day after the county canvass of votes.	§43.56, 50.48(1)(a)
Monday, July 2	State Canvass of Votes Must Be Complete.	§43.63, 50.38
	Election Contests Deadline. Deadlines for contesting the results of the primary election vary by office. See the county auditor or Secretary of State for specific contest deadlines.	

2012 General Election Calendar

Date	Event	Code Cite
Monday, July 30	State and Federal Candidate Filing Begins. First day for non-party political organizations (NPPO) candidates and candidates nominated by petition to file nomination papers for state and federal offices with the Secretary of State.	§44.4(1), 45.4
Monday, August 6	County Candidate Filing Begins. First day for NPPO candidates and candidates nominated by petition to file nomination papers for county and township with the county auditor.	§44.4(1), 45.4
Thursday, August 9	Primary Nominee Withdrawal Deadline for State and Federal Offices. Last day for state and federal candidates who were nominated at the primary election to withdraw. Notice of withdrawal must be submitted in writing to the Secretary of State. Last Day for Vacancies – State and Federal. If a midterm vacancy in a state or federal office occurs on or before August 9, the office must be on the ballot to fill vacancy at the general election. Political party nominations must be made by convention.	§43.76(1) §43.6(1), 43.77(4), 43.78(1)
Friday, August 17 – 5 p.m.	State and Federal Candidate Filing Deadline. Last day to file nomination papers with the Secretary of State. This includes NPPO candidates, candidates nominated by petition, and Democratic and Republican parties' nominations to fill ballot vacancies. Deadline is 5 p.m.	§43.78(2), 44.4(1), 45.4
	State and Federal Candidate Withdrawal Deadline. Last day for NPPO candidates and candidates nominated by petition who filed with the Secretary of State to withdraw. Notice of withdrawal must be submitted in writing to the Secretary of State.	§44.9(1), 45.4
	State and Federal Candidate Objection Deadline. Last day to file written objections to nomination papers with the Secretary of State. Deadline is 5 p.m.	§44.4(2)(a)(1)
Friday, August 24	State and Federal Candidate Substitution Deadline. Last day for NPPOs to replace candidates who withdrew, died, or were found ineligible for state and federal offices.	§44.11
	Primary Nominee Withdrawal Deadline for County Offices. Last day for county candidates who were nominated at the primary election to withdraw. Notice of withdrawal must be submitted in writing to the county auditor.	§43.76(2)
	Last Day for Vacancies – County. If a midterm vacancy in a county office occurs on or before August 24, the office must be on the ballot to fill vacancy at the general election. Political party nominations must be made by convention.	§43.77(5)(b), 43.78(1), 69.14A(1)(b)(2)
Wednesday, August 29 – 5 p.m.	County Candidate Filing Deadline. Last day to file nomination papers with county auditor. This includes NPPO candidates, candidates nominated by petition, and Democratic and Republican parties' nominations to fill ballot vacancies. Deadline is 5 p.m.	§43.78(3), 44.4(1), 45.4

Date	Event	Code Cite
Thursday, August 30	Draw Names for Non-Partisan Office Ballot Order. County auditor draws the names of candidates for non-partisan offices to determine the order in which the names of those candidates will appear on the ballot.	§49.31(2)(c)
Monday, September 3	Labor Day Holiday – State Offices Closed.	§1C.1
	County Candidate Withdrawal Deadline. Last day for NPPO candidates and candidates nominated by petition who filed with the county auditor to withdraw. Notice of withdrawal must be submitted in writing to the county auditor.	§44.9(2), 45.4
Tuesday, September 4 – 5 p.m.	County Candidate Objection Deadline. Last day to file written objections to nomination papers with the county auditor. Deadline is 5 p.m.	§44.4(2)(a)(2)
	County Candidate Substitution Deadline. Last day for NPPOs to replace candidates who withdrew, died, or were found ineligible for county offices.	§44.11
Thursday, September 20 – 5 p.m.	Satellite Absentee Voting Station Petitions Deadline. A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m.	§53.11(2)(a)
Thursday, September 27	Absentee Ballots Ready. First day absentee ballots may be voted in the county auditor's office.	§53.10
Monday, October 22	Worry-Free Postmark Date. Mailed voter registrations forms which are postmarked on or before today are considered on time to be pre-registered for the general election even if they are received after October 27.	§48A.9(3)
Saturday, October 27 – 5 p.m.	Voter Pre-Registration Deadline. The deadline to pre-register to vote for the general election is 5 p.m. Exceptions: Mailed registration forms postmarked on or before Monday, October 22, are considered on time even if they are received after 5 p.m. today.	§48A.9(1)
Friday, November 2 – 5 p.m.	Absentee Ballot by Mail Request Deadline. Last day to request an absentee ballot by mail. Deadline is 5 p.m.	§53.2(1)(b)
Saturday, November 3 – 5 p.m.	County Auditors' Offices Open. The county auditor's office must be open for at least 8 hours until at least 5 p.m. for absentee voting and other election business.	§47.2(5)
Monday, November 5	Absentee Ballot In-Person Deadline. Last day to request and vote an absentee ballot in person at the county auditor's office. Last Day for Voters to Fix Incomplete Affidavits. Voters have until 5 p.m. to fix incomplete affidavit envelopes at the county auditor's office.	§53.2(1)(a) §53.18(2)

Date	Event	Code Cite
Tuesday, November 6	General Election Day. Polls are open from 7 a.m. until 9 p.m. Absentee ballots may be delivered to the county auditor until 9 p.m.	§39.1, 49.73, 53.17(1)
Thursday, November 8	Number of Provisional Ballots Posted. Number of provisional ballots cast in each precinct must be posted by the county auditor no later than 9 a.m.	§50.20
	Special Precinct Board Convened. The county auditor may reconvene the special precinct board no earlier than noon to consider provisional ballots and absentee ballots that were postmarked Monday, November 5, or earlier.	§50.21, 50.22
Monday, November 12	Veteran's Day Holiday – State Offices Closed. If the auditor's office is closed on Veteran's Day, applicable deadlines move to the next business day.	§1C.1, 47.4
Monday, November 12/ Tuesday November 13 – Noon	Absentee Ballot Deadline. Absentee ballots that were postmarked Monday, November 5, or earlier and received by noon Monday, November 12, are considered to be on time to be counted. <i>*If the county auditor's office is closed on Monday, November 12, the absentee ballot deadline is moved to noon on Tuesday, November 13.</i>	§53.17(2)
	County Canvass of Votes. May occur either Monday or Tuesday.	§50.24(1)
Thursday, November 15/ Friday, November 16 – 5 p.m.	Recount Request Deadline. Written requests for a recount must be filed in the county auditor's office by 5 p.m. on the third day after the county canvass of votes.	§50.48(1)(a)
Monday, December 3	State Canvass of Votes Must Be Complete.	§50.38
	Election Contests Deadline. Deadlines for contesting the results of the general election vary by office. See the county auditor or Secretary of State for specific contest deadlines.	